



02 MAY 2008

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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SKINNER AND ASSOCIATES
212 Commercial Street
Hudson, WI 54016

In re Application of	:	
JUPE, John	:	
Application No.: 10/551,290	:	DECISION
PCT No.: PCT/GB2004/001262	:	
Int. Filing Date: 25 March 2004	:	ON PETITION UNDER
Priority Date: 29 March 2003	:	
Docket No.: ARD132USA	:	37 CFR 1.181
For: IMAGE PROCESSING	:	

This decision is in response to applicant's petition to withdraw the holding of abandonment, under 37 CFR 1.181, filed in the United States Patent and Trademark Office on 19 February 2008.

BACKGROUND

On 04 February 2008, the Office mailed Decision On Petition, dismissing applicant's petition without prejudice.

On 19 February 2008, applicant filed this renewed petition under 37 CFR 1.181.

DISCUSSION

The showing required to establish nonreceipt of an Office communication is set forth in the notice entitled *Withdrawing the Holding of Abandonment When Office Actions Are Not Received*, 1156 O.G. 53 (Nov. 16, 1993). The showing must include: (1) a statement by the practitioner that the Office action was not received by the practitioner; (2) a statement attesting that a search of the file jacket and docket records indicates that the Office action was not received; and (3) a copy of the docket record where the non-received Office action would have been entered had it been received (the docket record must also be referenced in practitioner's statement).

Items (1) and (2) were previously satisfied. Item (3) has now been satisfied.

CONCLUSION

For the reasons set forth above, the petition under 37 CFR 1.181 is **GRANTED**.

The Notification of Abandonment (Form PCT/DO/EO/909) mailed 15 November 2007 is **VACATED**.

Applicant is required to supply an oath or declaration of the inventors and the surcharge for late filing of the search fee, examination fee or oath or declaration within TWO (2) MONTHS from the mail date of this decision. Extensions of time are available under 37 CFR 1.136(a).

Any further correspondence with respect to this matter may be filed electronically via EFS-Web or if mailed, should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal

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Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

/Erin P. Thomson/

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